

Current and New Prohibited Offenses

Adult Care Homes & Home Health Agencies KSA 39-970, 65-5117	HCBS X = existing prohibition KSA 39-2009	OFFENSE <div style="border: 1px solid black; padding: 5px; background-color: #d4edda; margin: 5px 0;">Note: Green shading denotes a new prohibition for this type of facility.</div>	PROHIBITED	
			Does Not Expire ↓	Expires 6 Years* ↓
21-5301 21-3301	X	Attempt to commit a prohibited offense ¹	See Key	
21-5302 21-3302	X	Conspiracy to commit a prohibited offense ²	See Key	
21-5303 21-3303	New	Criminal solicitation to commit a prohibited offense ³	See Key	
21-5401 21-3439	X	Capital Murder (Felony)	Yes	
21-5402 21-3401	X	First degree murder (Felony)	Yes	
21-5403 21-3402a 21-3302	X	Second degree murder (Felony)	Yes	
21-5404 21-3403	X	Voluntary manslaughter (Felony)	Yes	
21-5405 21-3404	X	Involuntary manslaughter (Felony)		6 Years*
21-5407 21-3406	X	Assisting suicide (Felony)	Yes	
21-5412(b) 21-3410	X	Aggravated assault (Felony)		6 Years*
21-5412(d) 21-3411	X	Aggravated assault on a law enforcement officer (Felony)		6 Years*
21-5414 21-3412a	X	Domestic Battery (Felony)		6 Years*
21-5413(c) 21-3413	X	Battery against a law enforcement officer (Felony)		6 Years*
21-5413(b) 21-3414	X	Aggravated battery (Felony)		6 Years*
21-5413(d) 21-3415	X	Aggravated battery against a law enforcement officer (Felony)		6 Years*
21-5415(a) 21-3419	X	Criminal threat (Felony)		6 Years*
21-5415(b) 21-3419(a)	X	Aggravated criminal threat (Felony)		6 Years*
21-5408(a) 21-3420	X	Kidnapping (Felony)		6 Years*
21-5408(b) 21-3421	X	Aggravated kidnapping (Felony)		6 Years*

21-5409(a) 21-3422	X	Interference with parental custody (Felony)	6 Years*
21-5409(b) 21-3422(a)	X	Aggravated interference with parental custody (Felony)	6 Years*
21-5420(a) 21-3426	X	Robbery (Felony)	6 Years*
21-5420(b) 21-3427	x	Aggravated robbery (Felony)	6 Years*
21-5428 21-3428	X	Blackmail (Felony)	6 Years*
21-5424 21-3435	X	Exposing another to a life threatening communicable disease (Felony)	6 Years*
21-5417 21-3437	X	Mistreatment of a dependent adult or Mistreatment of an elder person. (Misdemeanor or Felony)	Yes
21-5427 21-3438	X	Stalking (Felony)	6 Years*
21-5405(a)(3) 21-3442	X	Involuntary manslaughter while driving under the influence (Felony)	6 Years*
21-5426(a) 21-3446	X	Human Trafficking (Felony)	Yes
21-5426(b) 21-3447	X	Aggravated Human Trafficking (Felony)	Yes
21-5413(f) 21-3448	X	Battery against a mental health employee (Felony)	6 Years*
21-5421 21-3449	X	Terrorism (Felony)	6 Years*
21-5422 21-3450	X	Illegal use of weapons of mass destruction (Felony)	6 Years*
21-5423 21-3451	x	Furtherance of Terrorism or Illegal Use of Weapons of Mass Destruction (Felony)	6 Years*
21-5503 21-3502	X	Rape (Felony)	Yes
21-5506(a) 21-3503	X	Indecent liberties with a child (Felony)	Yes
21-5506(b) 21-3504	X	Aggravated indecent liberties with a child (Felony)	Yes
21-5504(a) 21-3505	X	Criminal sodomy (felony)	6 Years*
21-5504(b) 21-3506	X	Aggravated criminal sodomy (Felony)	Yes
21-5513 21-3508	X	Lewd and lascivious behavior (Felony)	6 Years*
21-5508(a) 21-3510	X	Indecent solicitation of a child (Felony)	Yes
21-5508(b) 21-3511	x	Aggravated indecent solicitation of a child (Felony)	Yes
21-6420 21-3513	X	Promoting prostitution (Felony)	6 Years*
21-5510 21-3516	X	Sexual exploitation of a child (Felony)	Yes

21-5505(a) 21-3517	X	Sexual battery (Felony)	Yes
21-5505(b) 21-3518	X	Aggravated sexual battery (Felony)	Yes
21-5512 21-3520	X	Unlawful sexual relation (Felony)	6 Years*
21-5507 21-3522	X	Unlawful voluntary sexual relations (Felony)	6 Years*
21-5509 21-3523	x	Electronic solicitation (Felony)	6 Years*
21-5604(a) 21-3602	X	Incest (Felony)	6 Years*
21-5604(b) 21-3603	X	Aggravated incest (Felony)	6 Years*
21-5605(a) 21-3604	X	Abandonment of a child (Felony)	6 Years*
21-5605(b) 21-3604(a)	X	Aggravated abandonment of a child (Felony)	6 Years*
21-5601(b) 21-3608(a)	X	Aggravated endangering a child (Felony)	6 Years*
21-5602 21-3609	X	Abuse of a child (Felony)	6 Years*
21-5607(b) 21-3610(b)	X	Furnishing alcoholic beverages to a minor for illicit purpose (Felony)	6 Years*
21-5603 21-3612	x	Contributing to a child's misconduct or deprivation (Felony)	6 Years*
21-5801 21-3701	New	Theft (Felony)***	6 Years*
21-5430	X	Distribution of a controlled substance causing great bodily harm (Felony)	6 Years*
21-5606 21-3605	X	Criminal nonsupport (Felony)	6 Years*
21-5410 21-3423	X	Interference with custody of a committed person ** (Misdemeanor or Felony)	6 Years*
21-5416 21-3425	X	Mistreatment of a confined person ** (Misdemeanor or Felony)	6 Years*
21-5425 21-3445	X	Unlawful administration of a substance ** (Misdemeanor or Felony)	6 Years*
21-5708 21-36a08 21-4214	X	Unlawful obtainment or sale of a prescription-only drug ** (Felony)	6 Years*
21-5823 21-3710	New	Forgery** (Felony)	6 Years*
21-5828 21-3729	New	Criminal Use of a Financial Card** (Felony)	6 Years*
21-5925 21-3844	New	Any violation of Kansas Medicaid Fraud Control Act** (Felony)	6 Years*
21-5927 21-3846	New	Making false claim, statement or representation to the Medicaid program ** (Felony)	6 Years*

21-5928 21-3847	New	Unlawful acts relating to the Medicaid program ** (Felony)	6 Years*
21-5929 21-3856	New	Obstruction of a Medicaid fraud investigation ** (Felony)	6 Years*
21-5924 21-3843	New	Violation of a protective order; extended protective orders, penalties ** (Felony)	6 Years*
21-6107 21-4018	New	Identity theft: identity fraud ** (Felony)	6 Years*
21-6412 21-3727 21-4310 21-4311	New	Cruelty to animals ** (Misdemeanor or Felony)	6 Years*
21-6422	New	Commercial sexual exploitation of a child (Felony)	Yes
39-0720	New	Social welfare fraud** (Misdemeanor or Felony)	6 Years*
21-4301 21-4301a 21-6401	New	Promoting obscenity or promoting obscenity to minors ** (Misdemeanor or Felony)	6 Years*
21-5703 65-4159 21-36a03	X	Unlawful manufacturing of controlled substances** (Felony)	6 Years*
21-5705 65-4161 21-36a05 65-4163	X	Unlawful cultivation or distribution of controlled substances** (Felony)	6 Years*
21-5707 21-36a07	X	Unlawful manufacture, distribution, cultivation or possession of controlled substances using a communication facility** (Felony)	6 Years*
21-5710 21-36a10	X	Unlawful distribution of drug precursors and drug paraphernalia ** (Felony)	6 Years*
21-5713 21-36a13 65-4152	X	Unlawful distribution or possession of a simulated controlled substance ** (Felony)	6 Years*
21-5406	New	Vehicular Homicide (Felony)	6 Years*
NOTE:		Similar Statutes of Other States & Federal Government.	

KEY

6 Years* For this type of conviction the individual is prohibited until six or more years have elapsed since completion of the sentence imposed or the applicant was discharged from probation, a community correctional services program, parole, post release supervision, conditional release or a suspended sentence; or if the applicant has been granted a waiver of such six-year disqualification.

***Waivers** An individual who has been disqualified for employment due to conviction or adjudication of the offenses marked by a single asterisk * may apply to the secretary for aging and disability services for a waiver of such disqualifications if five years have elapsed since *completion* of the sentence for such conviction.

Yes The individual is prohibited. The prohibition does not expire, and waivers are not available.

****** Note: A prohibition for these offenses became effective on July 1, 2018. An individual shall not be prohibited due to a conviction of these offenses who is employed by a center, facility, hospital or provider of services on or before July 1, 2018, and is *continuously* employed by the same center, facility, hospital or provider of services or to any person during or upon successful completion of a diversion agreement.

******* Note: A prohibition for this offense became effective on July 1, 2010. Further, an individual shall not be prohibited due to a conviction of Felony Theft if the individual is employed by an adult care home or home health agency on July 1, 2010, and *continuously* employed by the same adult care home or home health agency.

^{1,2,3} Convictions for attempt to commit, conspiracy to commit, or criminal solicitation to commit any offense listed above which carries a prohibition that does not expire will result in a prohibition that does not expire. Convictions for attempt to commit, conspiracy to commit, or criminal solicitation to commit any offense listed above which carries a six-year prohibition will result in a six-year prohibition.